

proceed to the immediate consideration of S. Res. 405, which was submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 405) to authorize representation by the Senate Legal Counsel in the case of Shawn Musgrave v. Mark Warner and the U.S. Senate Select Committee on Intelligence.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, this resolution concerns a lawsuit filed in Federal court in the District of Columbia against the Select Committee on Intelligence and Chairman WARNER, that attempts to force the committee to release to the plaintiff the full report of the Committee's in-depth study of the CIA's terrorist detention and interrogation program. Plaintiff claims that he has a common law right, never before applied to Senate records, to review this committee document despite the report being classified and despite the committee having not chosen to release the report publicly and having submitted it to the Senate confidentially.

It is important to note that the committee has already released the lengthy executive summary and the findings and conclusions from the report, after a declassification review; so the public has been informed of the committee's work and the findings and conclusions of its study.

Plaintiff's attempt to force the Senate to release to him the full report not only contravenes the Senate's constitutional prerogative to decide which documents to keep confidential, but also interferes with the independence of the Senate in conducting its legislative and oversight duties. This resolution would authorize the Senate legal counsel to represent the Select Committee on Intelligence and Chairman WARNER in order to seek dismissal of this suit.

Mr. WYDEN. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 405) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF SHAWN MUSGRAVE V. J. THOMAS MANGER, ET AL.

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consider-

ation of S. Res. 406, which was submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 406) to authorize representation by the Senate Legal Counsel in the case of Shawn Musgrave v. J. Thomas Manger, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. Mr. President, this resolution concerns a lawsuit filed in Federal court in the District of Columbia against the Secretary of the Senate and her office and that seeks to force the Secretary to provide the plaintiff with a copy of the Senate security manual. That manual, which is for internal Senate use and is not publicly available, sets forth the procedures for handling classified national security information within the Senate. Plaintiff claims that he has a common law right, never before applied to Senate records, to review this Senate document despite the security manual being restricted to internal Senate distribution given the sensitivity of the procedures for protecting classified information maintained by the Senate.

Plaintiff's suit seeking to compel the production of this Senate document encroaches upon the Senate's constitutional prerogative to decide which documents to keep confidential and interferes with the independence of the Senate in establishing its own internal rules and guidelines for handling information necessary to carrying out its legislative and oversight responsibilities. This resolution would authorize the Senate legal counsel to represent the Secretary and her office in this case in order to seek dismissal of this suit.

Mr. WYDEN. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 406) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to 22 U.S.C. 2761, as amended, appoints the following Senator as Chairman of the Senate Delegation to the British-American Interparliamentary Group Conference during the 117th Congress: The Honorable PATRICK J. LEAHY of Vermont.

ORDER OF BUSINESS

Mr. WYDEN. Mr. President, it is my understanding that the House is going to send the Senate a 30-day extension of the Surface Transportation Authorization Act. The Republicans cannot clear it tonight; therefore, we will come back tomorrow and try to pass it then.

ORDERS FOR SATURDAY, OCTOBER 2, 2021

Mr. WYDEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 1:30 p.m., Saturday, October 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Adams-Allen nomination.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL 1:30 P.M. TOMORROW

Mr. WYDEN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:09 p.m., adjourned until Saturday, October 2, 2021, at 1:30 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 1, 2021:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. JACQUELINE D. VAN OVOST

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. COLIN J. KILRAIN

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. JAMES D. BRANTINGHAM

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER SECTION 905 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020:

To be rear admiral

REAR ADM. (LH) JEFFREY S. SCHEIDT